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Citibank, N.A.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAW OFFICES OF OLIVER ZHOU,

Plaintiff,

- against -

CITI BANK, N.A., and
PNC BANK, N.A.

Defendants.

Case No.: 15-CV-5266 (ER)

**SUPPLEMENTAL DECLARATION
OF JOAN HASLAM**

STATE OF NEW YORK,
COUNTY OF QUEENS.

JOAN HASLAM, pursuant to 28 U.S.C. § 1746, declares the following:

1. I am a vice president of defendant Citibank, N.A. I make this declaration in support of Citibank's motion to pursuant to Fed. R. Civ. P. 12(b)(6) for an order dismissing the complaint as to Citibank, N.A.

2. Unless stated otherwise, this declaration is based upon my personal knowledge and my review of the books and records of Citibank which are in my possession or subject to my control and it is to supplement my declaration dated

September 17, 2015 and all capitalized terms herein shall have the meaning ascribed in such earlier declaration.

3. Attached as Exhibit A is a true and correct copy of a Citibank Manual for Business & Professional Customers effective January 1, 1996 (the "Earlier Client Manual"). This Earlier Client Manual governed the relationship between plaintiff and Citibank in May 1996 when the time the Account was opened and plaintiff signed the signature card attached as Exhibit A to my earlier declaration.

THE GOVERNING CONTRACT PROVISIONS

4. The Earlier Client Manual states, in relevant part: "Periodically we will issue revisions to this Manual to reflect any changes that may affect our accounts and services. These revisions will be available in all our branches." (*See* Earlier Client Manual on the page containing the Table of Contents, Exhibit A.)

5. The Earlier Client Manual also provides clearly and without ambiguity: "When opening any account, you are also agreeing to the rules and regulations governing that account." (*See* Earlier Client Manual on the page containing the Table of Contents, Exhibit A.)

6. Earlier in that same paragraph the Earlier Client Manual further states as follows: "The Customer Manual for Business and Professionals provides you with rules and procedures, as well as other useful information about the current business accounts and services available to you at Citibank." (*See* Earlier Client Manual on the page containing the Table of Contents, Exhibit A.)

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 13, 2015


JOAN HASLAM